

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

GARY SPANN	:	CIVIL ACTION
Petitioner,	:	
	:	
v.	:	
	:	
FRANK D. GILLIS, et al.,	:	NO. 05-CV-0034
Respondents.	:	

ORDER

AND NOW, this 10th day of May 2007, upon a careful review of Petitioner's *pro se* 28 U.S.C. § 2254 Petition (Doc. No. 1), his *pro se* Amended § 2254 Petition and Supplemental Memorandum of Law (Doc. No. 9, 10), Respondents' Response (Doc. No. 11), Magistrate Judge Thomas Rueter's Report and Recommendation (Doc. No. 12), Petitioner's Motion for Extension of Time (Doc. No. 13), Petitioner's Motion for Correction of Record (Doc. No. 15), and Petitioner's Objections to Judge Rueter's R&R (Doc. No. 21), it is hereby ORDERED as follows:

1. Petitioner's Motion for Correction of Record (Doc. No. 15) is GRANTED. This Court's August 23, 2005 Order is VACATED.
2. Petitioner's Motion for Extension of Time (Doc. No. 13) is DENIED as moot.
3. The Report and Recommendation (Doc. No. 12) is APPROVED and ADOPTED.
4. The Petition for habeas corpus is DENIED.
5. A certificate of appealability is not granted.

BY THE COURT:

/S/LEGROME D. DAVIS

Legrome D. Davis, J.